

PATENT
0147-0191P

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: KWART, Marion et al. CONF: 1628
SERIAL NO.: 09/485,187 GROUP: 1638
FILED: June 26, 2000 EXAMINER: KUBELIK, Anne
FOR: PROCESS FOR INCREASING THE YIELD IN PLANTS BY
STABLY INTERGRATED RECOMBINANT POLYPEPTIDES

DECLARATION SUBMITTED UNDER 37 C.F.R. § 1.132

Honorable Commissioner
Of Patents and Trademarks
Washington, D.C. 20231

April 21, 2003

Sir:

I, Dr. Jörg Riemeier of the PlantTec Biotechnologie GmbH F&E, Germany,
do hereby declare the following:

I have attached a copy of my curriculum vitae to this Declaration.

I am CEO of PlantTec Biotechnologie GmbH F&E and one of the inventors
of the above referenced application and supervised the experiments described
below.

I am familiar with the above referenced patent application, as well as the
development, usages and properties of polymer compounds.

I have read and understand the subject matter of the Office Action of April
3, 2003.

Application No. 09/485,187

The following comments are offered in support of the patentability of the instant invention.

The statement "such a transporter preferably is of plant origin (for example EMBL Genbank Accession No. G21319)," which appears on page 3, lines 22-24 of the Specification is a typographical error. This identifier should have read "GI: 21319" or "gi: 21319." These are the identifiers that appear in Genbank. We have enclosed a copy of the protein database information that contains these identifiers. The typographical error was inadvertent and was not noticed during the proof reading prior to submission of the application.

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VOSSAUS & PARKNER

+ BIRCH NO. 8434 P. 9/10

Application No. 09/495,187

The undersigned hereby declares that all statements made herein based upon knowledge are true, and that all statements made based upon information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATED: 23.09.2003


Dr. Jörg Riesmeier

Enclosures: As stated above

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Name: Jörg Riesmeier
Title: Dr. rer. nat.
Born: 12.01.1964 in Vechta, Germany

1984 - 1989: Study of Biochemistry at the Free University in Berlin

1990: Master Degree in Biochemistry

Practical work: Purification of low-abundant plant proteins

1991-1993: Ph.D.-Thesis with Prof. Frommer at the Institut für Genbiologische
Forschung in Berlin

The first successful isolation of a plant sucrose transporter by functional
complementation of yeast

1993-1995: Group leader: Membrane transport, Institut für Genbiologische
Forschung, Dept. Prof. Willmitzer

1995-1996: Staff scientist and group leader at the Max-Planck-Institute for
Molecular Plant Physiology

Since 8/1996: CEO of PlantTec Biotechnologie GmbH